

UNITED STATES DISTRICT COURT DISTRICT OF NEVADA

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THOMAS MCNARY,

Case No. 2:19-cv-02114-GMN-BNW

Plaintiff,

ORDER SCHEDULING EARLY NEUTRAL EVALUATION

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v.

HIGH STREET LLC, a domestic limited liability company, and DOES 1-50, inclusive,

Defendant.

IT IS HEREBY ORDERED that an **in-person** Early Neutral Evaluation Session ("ENE") will be conducted on **Friday**, **August 14**, **2020**. Plaintiff must report to the chambers of the undersigned United States Magistrate Judge, Room 4068, Lloyd D. George United States Courthouse, 333 Las Vegas Boulevard South, Las Vegas, Nevada at **9:00 a.m.** Defendant must report to the chambers of the undersigned at **9:30 a.m.**

The Court is closely following and reinforcing the guidelines from the CDC and other relevant health authorities and is taking precautionary measures to limit the potential spread of the COVID-19 virus. For example:

- ALL VISITORS TO THE COURTHOUSE WILL BE REQUIRED TO MAINTAIN A SOCIAL DISTANCE OF AT LEAST SIX FEET AND EITHER WASH THEIR HANDS OR USE HAND SANITIZER BEFORE ENTERING A COURTROOM.
- IF A PROCEEDING IS INSIDE THE COURTROOMS, CHAIRS, TABLES, AND MICROPHONES THAT HAVE BEEN UTILIZED WILL BE CLEANED AFTER EACH PROCEEDING. COUNSEL MAY BRING DISINFECTANT WIPES TO CLEAN THE SURFACE AREAS UTILIZED TO THEIR OWN COMFORT LEVEL AS WELL.
- ENE ATTENDEES MAY BRING AND WEAR PERSONAL PROTECTIVE EQUIPMENT INCLUDING FACE MASKS AND GLOVES OR OTHER PROTECTIVE COVERINGS AS DESIRED.
- DOCUMENTS THAT WILL BE REFERENCED OR UTILIZED DURING THE ENE SESSION MUST BE EMAILED TO Emily Santiago@nvd.uscourts.gov by AUGUST 7, 2020.

IF YOU DO NOT FEEL WELL, CONTACT EMILY SANTIAGO AT THE EMAIL **ADDRESS THIS ENE ABOVE** SO THAT MAY \mathbf{BE} RESCHEDULED OR ARRANGEMENTS TO ATTEND IT REMOTELY MAY BE MADE. DO NOT COME TO THE COURTHOUSE IF YOU ARE EXPERIENCING FLU-LIKE SYMPTOMS SUCH AS A COUGH, FEVER, OR SHORTNESS OF BREATH, OR IF YOU HAVE BEEN IN CONTACT WITH ANYONE WHO HAS BEEN RECENTLY DIAGNOSED WITH A COVID-19 INFECTION. REFER TO TEMPORARY GENERAL ORDER 2020-02 FOR ADDITIONAL COURTHOUSE-ACCESS POLICIES AND PROCEDURES.

Unless the Court orders otherwise, all parties must be present in person for the duration of the ENE, including the following:

- 1. An attorney of record who will be participating in the trial and who has full authority to settle this case;
 - 2. All parties appearing pro se;
 - 3. All individual parties;
- 4. In the case of non-individual parties, an officer or representative with binding authority to settle this matter up to the full amount of the claim or last demand made; and
- 5. If any party is subject to coverage by an insurance carrier, then a representative of the insurance carrier with authority to settle this matter up to the full amount of the claim or last demand.

A request for an exception to the above attendance requirements must be filed and served on all parties at least 14 days before the ENE session. An attorney of record, individual parties, a fully authorized representative, and a fully authorized insurance representative must appear in person unless the court enters an order granting a request for exception.

PREPARATION FOR ENE SESSION

In preparation for the ENE session, the attorneys for each party, and the parties appearing pro se, if any, must submit a confidential written evaluation statement for the court's in camera review. The written evaluation statement, with exhibits, must be delivered electronically to Emily_Santiago@nvd.uscourts.gov by 4:00 p.m. on Friday, August 7, 2020.

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The written evaluation statement must comply with Local Rule 16-6(f). Do not deliver or mail them to the clerk's office. Do not serve a copy on opposing counsel. The purpose of the evaluation statement is to assist the undersigned in preparing for and conducting the ENE session. To facilitate a meaningful session, your utmost candor in providing the requested information is required. The written evaluation statements will not be seen by or shared with the district judge or magistrate judge to whom this case is assigned. The evaluation statements will be seen by no one except the undersigned. Each statement will be securely maintained in my chambers and will be destroyed following the session.

Failure to comply with the requirements set forth in this order will subject the non-compliant party to sanctions under Local Rule IA 11-8 or Federal Rule of Civil Procedure 16(f).

DATED: May 21, 2020

ELAYNAJ. YOUCHAH UNITED STATES MAGISTRATE JUDGE